

WILLMAR CITY COUNCIL PROCEEDINGS
COUNCIL CHAMBERS
WILLMAR MUNICIPAL UTILITIES BUILDING
WILLMAR, MINNESOTA

7:00 p.m.
February 18, 2003

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Lester Heitke. Members present on a roll call were Mayor Heitke, Council Members Doug Reese, Ron Christianson, Bruce DeBleck, Denis Anderson, Nancy Houlahan, Rick Fagerlie, Jim Dokken, and David Chapin; Present 9, Absent 0.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Police Chief Jim Kulset, Fire Chief Marv Calvin, Public Works Director Mel Odens, Finance Director Steven Okins, Planning and Development Services Director Bruce Peterson, Community Education and Recreation Director Steve Brisendine, Assistant City Engineer Brian Bollig, and City Clerk Kevin Halliday.

Proposed additions to the agenda included comments on the Governor's budget announcement.

The City Council and Housing and Redevelopment Authority Board Minutes of January 22, 2003, were removed from the Consent Agenda.

Council Member Reese offered a motion adopting the Consent Agenda which included the following: Municipal Utilities Commission Minutes of February 6, Rice Hospital Board Minutes of February 12, Building Inspection Report for January, Pioneerland Library Board Minutes of December 19, Housing and Redevelopment Authority Board Minutes of January 14, Kandiyohi Area Transit Minutes of October 15, and Planning Commission Minutes of February 12, 2003. Council Member Christianson seconded the motion, which carried.

The housing study was discussed in the Housing and Redevelopment Authority Board Minutes of January 22, 2003, and accepted on a motion by Council Member Dokken, seconded by Council Member Christianson, and carried.

Noting that Wayne Larson was appointed to the Hospital Board, the City Council Minutes of February 2, 2003, were approved and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Chapin, and carried.

At 7:05 p.m. Mayor Heitke opened a hearing on 2003 street and other improvements. Public Works Director Odens presented to the Mayor and Council an explanation and review of proposed improvements and estimated costs. Several citizens appeared before the Council to clarify items related to 9th Street Southeast, Olena Avenue, and 25th Avenue Southwest. Upon hearing all those who wished to be heard, Mayor Heitke closed the hearing at 7:31 p.m.

Following discussion, Council Member Reese offered a motion to delay improvements to 6th Avenue Northwest and the 30th Street Northwest underground. Council Member Christianson seconded the motion, which carried.

Resolution No. 1 was introduced by Council Member Reese, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

ORDERING 2003 STREET AND OTHER IMPROVEMENTS
(AND DIRECTING PREPARATION OF FINAL PLANS AND SPECIFICATIONS)

WHEREAS, after due Notice of Public Hearing on the construction of improvements for the City of Willmar, Minnesota, hearing on said improvements was duly held and the Council heard all persons desiring to be heard on the matter and fully considered same.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, as follows:

1. It is advisable, expedient, and necessary that said improvements as described in the Notice of Hearing thereon be constructed, and the same are hereby ordered made.
2. The improvements described in said Notice of Hearing are hereby designated and shall be known as 2003 Street and Other Improvements.
3. The City's Engineer is hereby directed to prepare final plans and specifications for said improvements.
4. The City Council shall let the contract for all or part of the work for said improvements or order all or part of the work done by day labor or otherwise as authorized by Minnesota Statutes, Section 429.041, Subdivision 2, within one year of the date of this resolution ordering said improvements.

Dated this 18th day of February, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

At 7:38 p.m. Mayor Heitke opened a hearing on an Ordinance Amending Sections 2, 3 and 5 of the Rate Schedule for Users of the City of Willmar Waste Treatment Plant. City Administrator Schmit explained the proposed rate increase was consistent with previously the adopted facilities plan and the 6 ½ percent increase would be effective March 1, 2003. There being no one to speak for or against the proposed Ordinance, Mayor Heitke closed the hearing at 7:40 p.m.

Council Member Christianson offered a motion to adopt, assign a number and order final publication of the Ordinance Amending Sections 2, 3 and 5 of the Rate Schedule for Users of the City of Willmar Waste Treatment Plant. Council Member DeBlieck seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Mayor Heitke acknowledged that no one had signed up to address the City Council during its scheduled Open Forum.

The Public Works/Safety Committee Report for February 11, 2003, was presented to the Mayor and Council by Council Member Christianson. There were five items for Council consideration.

Item No. 1 The Committee discussed adding a thirty-day suspension provision to the recently revised liquor serving license ordinance. City Administrator Schmit informed the Committee that staff research shows that no city of equal size enforces a sales and serving license on alcoholic servers. The Committee concluded that the district court action for a sale to a minor may be sufficient deterrent.

The Committee was recommending to the Council that the City no longer require liquor serving licenses, and request that the City Attorney prepare the necessary ordinance amendment to be introduced at the March 3, 2003, City Council meeting. Council Member Christianson moved to approve the recommendation of the Public Works/Safety Committee with Council Member Dokken seconding the motion.

Following discussion of the proposed deletion, Council Member Dokken offered a motion to introduce an Ordinance Repealing Municipal Code Sections Requiring the Licensing of Liquor Servers. Council Member Anderson seconded the motion, which carried.

Item No. 2 Del Sheets of Waters Edge Design Group presented to the Committee plans and specifications for the locker room addition at the Civic Center. Staff recommended approving the plans and specs and advertising for bids to be opened March 24, 2003. The Public Works/Safety Committee was recommending the Council accept the plans and specifications and authorize advertisement of bids.

Resolution No. 2 was introduced by Council Member Christianson, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0, Council Member Chapin abstained from voting.

RESOLUTION NO. 2

WHEREAS Waters Edge Design Group, Architects for the City of Willmar, have presented to the City Council plans and specifications for the Civic Center Locker Room Addition for the City of Willmar;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that:

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bids will be publicly opened and read at 1:30 p.m. on the 24th day of March, 2003, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 18th day of February, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 3 The Committee reviewed Change Order No. 1 for Project No. 0201 in the City's Street Improvement Program. The change order in the amount of \$30,123.75 is necessary to cover the cost of additional aggregate base needed to increase the section depth in poor soil conditions. The Committee was recommending to the Council approval of the change order adding to the contract and revise the budget accordingly.

Resolution No. 3 was introduced by Council Member Christianson, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 3

WHEREAS, a contract has been awarded to Duinink Bros., Inc. of Prinsburg, Minnesota, on July 22, 2002, in the amount of \$938,671.52 for Project No. 0201 (2002 Street and Other Improvements); and

WHEREAS, it is desired to add additional work to the above contract for additional aggregate base.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that:

1. Additional work is herewith authorized to be added to the above contract in the amount of \$30,123.75 and identified as Change Order No. 1.
2. Funding for the additional work is from the Project Budget.

Dated this 18th day of February, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 4 was introduced on Council Member Christianson, seconded by Council Member Houlahan, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 4

BUDGET IMPROVEMENTS ESTIMATED TOTAL COST \$2,084.788

PERSONNEL SERVICES:

Overtime Reg. Employees	\$ 500.00
Salaries Temp. Employees	6,000.00
Employer Pension Contr.	<u>1,500.00</u>
Total:	\$8,000.00

SUPPLIES:

Office Supplies	\$ 1,500.00
Small Tools	2,000.00

RECEIVABLES:

Property Owners	\$1,161,761.00
City-MUC	78,701.00
City-WTP	204,500.00
City-Transfer 2001	177,800.00
City-SWMP	65,000.00
City-TIF	255,000.00
Dev. Agreement (Cash)	123,025.00
City-CIF (Overlay)	<u>19,000.00</u>

Motor Fuels & Lubricants	1,000.00	Total:	\$2,084,788.00
Postage	2,000.00		
General Supplies	<u>3,500.00</u>	FINANCING:	
Total:	\$10,000.00	Bonds	\$1,126,160.00
		City	756,901.00
OTHER SERVICES:		Dev. Agreement (Cash)	123,026.00
Printing & Publishing	\$ 2,000.00	MUC	<u>78,701.00</u>
Mtce. of Other Impr.(Cntrt)	1,809,601.00	Total:	\$2,084,788.00
Other Services	<u>60,000.00</u>		
Total	\$1,871,601.00		
OTHER CHARGES:			
Licenses & Taxes	\$ 1,500.00		
Professional Services	20,000.00		
Advertising	1,000.00		
Adm. OH (Transfer)	127,687.00		
Other Charges	<u>45,000.00</u>		
Total:	\$ 195,187.00		
GRAND TOTAL:	\$2,084,788.00		

Dated this 18th day of February, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 4 The Committee considered a contract amendment to add the design and construction engineering services for the proposed Arby's Lift Station. The amendment in the amount of \$9,500 would be an addition to the original contract amount of \$19,500 dated December, 2002, which included two other lift stations. Funding for the additional engineering and lift station work would be included in the 2003 Street Budget.

The Committee was recommending to the Council to approve the contract and authorize the Mayor and City Administrator to sign on behalf of the City and also to revise the budget accordingly. Resolution No. 5 was introduced by Council Member Christianson, seconded by Council Member Houlahan, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 5

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into a contract amendment to supplement the agreement between the City of Willmar and Bolton and Menk. The supplement includes the addition of design and engineering services for the 24th Avenue Corridor lift station.

BE IT FURTHER RESOLVED, the original contract amount of \$19,500.00 is hereby amended to include \$9,500.00 for a total not to exceed figure of \$29,000.00.

Dated this 18th day of February, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 6 was introduced by Council Member Christianson, seconded by council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 6

2003 IMPROVEMENTS BUDGET
ESTIMATED TOTAL COST \$2,084.788

PERSONNEL SERVICES:

Overtime Reg. Employees	\$ 500.00
Salaries Temp. Employees	6,000.00
Employer Pension Contr.	<u>1,500.00</u>
Total:	\$8,000.00

SUPPLIES:

Office Supplies	\$ 1,500.00
Small Tools	2,000.00
Motor Fuels & Lubricants	1,000.00
Postage	2,000.00
General Supplies	<u>3,500.00</u>
Total:	\$10,000.00

OTHER SERVICES:

Printing & Publishing	\$ 2,000.00
Mtce. of Other Impr.(Cntrt)	2,280,000.00
Other Services	<u>675,000.00</u>
Total	\$2,957,000.00

OTHER CHARGES:

Licenses & Taxes	\$ 1,500.00
Professional Services	65,000.00
Advertising	1,000.00
Adm. OH (Transfer)	200,000.00
Other Charges	<u>45,000.00</u>
Total:	\$ 312,500.00

GRAND TOTAL: \$3,287,500.00

RECEIVABLES:

Property Owners	\$ 650,000.00
City-MUC (pump station)	365,000.00
State Aid	1,400,000.00
City-WTP (\$525,000 lift sta.)	600,000.00
City-Transfer 2002 (PW)	50,000.00
Developer Agree (Cash)	167,500.00
City-MUC (Water Main-Street)	30,000.00
City-2003 Operating	<u>25,000.00</u>
Total:	\$3,287,500.00

FINANCING:

Bonds	\$ 725,000.00
State	1,400,000.00
City	600,000.00
Dev. Agreement (Cash)	167,500.00
MUC	<u>395,000.00</u>
Total:	\$3,287,500.00

Dated this 18th day of February, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 The Committee discussed the wording in the improvement hearing notice. This matter was for information only.

The Public Works/Safety Committee Report for February 11, 2003, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Christianson, seconded by Council Member Dokken, and carried.

City Clerk Halliday informed the Mayor and Council that Los Tequila, Inc. has requested renewal of its Sunday On-sale Liquor License. Council Member Reese moved to approve the Liquor License for Los Tequila, Inc. with Council Member Fagerlie seconding the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Planning and Development Services Director Peterson presented to the Mayor and Council for consideration a final plat for Woltjer Addition, a four-lot plat west of Lakeland Drive North. It was noted the Planning Commission approved the final plat, as all easements had been added. Council Member Reese moved to approve the final plat for Woltjer Addition with Council Member Fagerlie seconding the motion, which carried.

City Clerk Halliday presented to the Mayor and Council the 2002 City Clerk Departmental annual report. Following a question and answer period, the report was ordered placed on file in the City Clerk's Office.

Mayor Heitke presented to the Council for information the appointment of Andy Bjur to the Planning Commission. Council Member Christianson moved to approve the appointment as presented with Council Member Anderson seconding the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Community Development, February 19; Finance, February 24; and Public Works/Safety, February 25, 2003.

The Mayor discussed recent developments regarding the Governor's budget and how it will impact cities in Greater Minnesota. It was noted there will be 42 public hearings and the City is preparing to respond to the budget shortfall.

There being no further business to come before the Council, the meeting adjourned at 8:31 p.m. upon motion by Council Member Reese, seconded by Council Member Christianson, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL